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09/03/03 WED 12:59 FAX 518 455 5928 ASSW DESTITO LOB OFFICE

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September 3, 2003 DISPLACED HOMEOWNERS

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Chief, Regulations and Procedures Division

Alcohol and Tobacco Tax and Trade Bureau

P.O. Box 50221

Washington, D.C. 20091-0221

Subject: TTB Notice No.4

Dear Sir Or Madam:

As Assemblywoman for the 16th District of New York representing the Mohawk Valley, I am writing to express my strong support for the United States Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB) proposed rulemaking for flavored malt beverages (2201R-136P).

I believe the TTB's action is an important clarification of federal alcohol beverage categories established to maintain an orderly U.S. marketplace. The debate surrounding the proposed standard poses important issues for the stability of the retail licensing system and the overall marketplace.

This standard is the most efficient means to address recent concerns by both federal and state officials. If adopted, the standard will maintain an orderly marketplace, meet consumer expectations for consistent products, and help sustain the long-term development of the product category. In addition, these reformulated products will be consistent with state tax, license and distribution laws allowing wholesalers and retailers to continue to distribute, sell and market flavored malt beverages (FMB) as they do today.

Absent a national standard rooted in existing law and regulation, manufacturers, retailers and wholesalers will face a potential for a patchwork of individual state laws and regulations where the same product may ultimately be sold as a "beer" in one state and as a "distilled spirit" in another.

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Chief, Regulations and Procedures Division

There are some who have concerns regarding the ability of manufacturers to produce FMB products in accordance with the new proposal. As YOU may know, brewers have already demonstrated the expertise and technical ability to brew these products under the new federal standard. The FMB products that look and taste the same will be available to wholesalers and retailers in all states with no interruption and no discernable taste differences for consumers.

for As always, thank you for allowing me to take this opportunity to offer my support the current TIB proposed rulemaking for flavored malt beverages. Please do not hesitate to contact me directly at (315) 732.1055 if I may be of further assistance.

Sincerely,.

ROANN DESTITO
Member of Assembly, 116~ District
of New York

RMD/sl